

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

PLAINTIFF,

v.

STRAIGHTPATH VENTURE PARTNERS LLC,
STRAIGHTPATH MANAGEMENT LLC,
BRIAN K. MARTINSEN,
FRANCINE A. LANAIA,
MICHAEL A. CASTILLERO, AND
ERIC D. LACHOW,

DEFENDANTS.

22 Civ. 03897 (LAK)

**DECLARATION OF BRIAN MARKLEY IN SUPPORT OF DEFENDANTS'
MEMORANDUM OF LAW IN OPPOSITION TO THE SEC'S "EMERGENCY"
APPLICATION FOR EXTRAORDINARY INJUNCTIVE RELIEF**

I, BRIAN MARKLEY, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am member of the bars of the State of New York and this Court and Partner at the law firm Cahill Gordon & Reindel LLP, attorneys for Defendants StraightPath Venture Partners LLC, StraightPath Management LLC, Brian K. Martinsen, Francine A. Lanaia, Michael A. Castillero and Eric D. Lachow in the above-captioned action. I submit this declaration to place before the Court one publicly available document that is referenced in the accompanying Memorandum of Law in Opposition to the SEC's "Emergency" Application for Extraordinary Injunctive Relief.

2. Annexed hereto as Exhibit 1 is a true and correct copy of the April 14, 2021 Amended Order Appointing Monitor, Dkt. 39, in *SEC v. GPB Capital Holdings, LLC et al.*, No. 21 Civ. 00583 (MKB) (E.D.N.Y. Apr. 14, 2021).

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: May 20, 2022

Respectfully submitted,

/s/ Brian Markley
Brian Markley